

EXHIBIT 5

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA

ALEXANDRIA DIVISION

-----X
ROSY GIRON DE REYES;
JOSE DAGOBERTO REYES;
FELIX ALEXIS BOLANOS;
RUTH RIVAS; YOVANA JALDIN SOLIS;
ESTABAN RUBIN MOYA YRAPURA;
ROSE ELENA AMAYA, and
HERBERT SARAIVIA CRUZ,

Plaintiffs,

CASE NO:
1:16ev00563-TCB

Vs.

WAPLES MOBILE HOME PARK
LIMITED PARTNERSHIP; WAPLES PROJECT
LIMITED PARTNERSHIP; and
A.J. DWOSKIN & ASSOCIATES, INC.,

Defendants,
-----X

DEPOSITION OF MARK ANDREW JONES

Falls Church, Virginia

November 22, 2016

9:30 a.m.

Reported By:
Chris Fox
Job No: 47656

ORIGINAL

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1 Q. Did A. J Dwoskin & Associates believe it was
2 required by some law or statute to verify legal status
3 before they accepted an application for a lease?

4 A. Well, we do believe that we have some
5 exposure to the harboring of illegal immigrants because
6 we have knowledge they they're undocumented by taking
7 the application.

8 But otherwise, we do find that it is vital to
9 the underwriting of the lease, because of the hurdles
10 that an undocumented immigrant suffers in trying to
11 obtain a job or a title to the mobile home itself, with
12 the state of Virginia, so.

13 Q. Or keep a lease?

14 A. Hau?

15 Q. Or keep a lease?

16 A. Or keep a lease with us, yes.

17 Q. Okay. You said from an income perspective,
18 it's important to verify legal residency in the United
19 States.

20 Can you give me some explanation of what that
21 means?

1 A. We think that an undocumented immigrant is
2 limited in terms of their employment in the United
3 States. And we feel if they're undocumented, there's a
4 potential financial burden for them to become
5 documented to taking on that lease. And I think, you
6 know, to trace or find someone that is undocumented and
7 not in the system, also makes it difficult for us to go
8 through the court system with collection and judgments,
9 but.

10 Q. So to be clear, the policy of A. J. Dwoskin &
11 Associates, Inc., was to categorically reject an
12 application from individuals who are not legally
13 present, whether or not they could show a solid income,
14 is that right?

15 A. Can you repeat the question?

16 Q. Sure. Bad question.

17 The policy of A. J. Dwoskin & Associates,
18 Inc., was to reject all applications from undocumented
19 immigrants, whether or not they could show a reliable
20 sufficient income?

21 A. It is one of our first steps in prescreening,

1 to run a credit -- a criminal screening.

2 I think for us it would be a starting point.
3 If they didn't have it, they would not have a criminal
4 screening run so we're --

5 Q. To make sure identity fraud is caught, right?

6 A. Yes. It's one of the documents to check.

7 Q. Sure. It is to be able to run the criminal
8 background check, to make someone eligible to have the
9 check run, right?

10 A. Yes.

11 Q. Minimize loss from eviction?

12 A. Yes.

13 Q. All right. Underwriting concerns for the
14 lease, correct?

15 A. Correct.

16 Q. Because undocumented immigrants have limited
17 employment opportunities?

18 A. Correct.

19 Q. All right. And there may be some fear of
20 liability due to harboring, is that right?

21 A. Yes.

CERTIFICATE OF SHORTHAND REPORTER

NOTARY PUBLIC

I, CHRISTINE FOX, Certified Court Reporter, the officer before whom the foregoing deposition was taken, do hereby certify that the foregoing transcript is a true and correct record of the testimony given; that said testimony was taken by me stenographically and thereafter reduced to typewriting under my supervision; and that I am neither counsel for, related to, nor employed by any of the parties to this case and have no interest, financial or otherwise, in its outcome.



CHRISTINE FOX

Notary Public in and for the
Commonwealth of Virginia

My commission expires:

March 31, 2018